

IFORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
(REV. 10-2003)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

52433/797

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/535346

INTERNATIONAL APPLICATION NO.

PCT/JP2003/014595

INTERNATIONAL FILING DATE

November 17, 2003

PRIORITY DATE CLAIMED:

(19.11.02)

19 November 2002

TITLE OF INVENTION

METHOD OF PRODUCTION OF METALLIC PRODUCT WITH NANOCRYSTALLIZED SURFACE LAYER

APPLICANT(S) FOR DO/EO/US


ISHIKAWA, Tadashi; NAKASHIMA, Kiyotaka; NOSE, Tetsuro; TOMINAGA, Tomonori; HIGO, Yakichi; TAKASHIMA, Kazuki

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: PCT/RO/101, first page of published WO 2004/046394 A1, International Search Report

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|--|--------------|---|---|--------------------------|-----------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) | | INTERNATIONAL APPLICATION NO. | | ATTORNEY'S DOCKET NUMBER | |
| 10/535346 | | PCT/JP2003/014595 | | 52433/797 | |
| The following fees are submitted: | | | | | |
| 21. <input checked="" type="checkbox"/> Basic National Fee | | | | \$ 300.00 | \$ 300.00 |
| 22. <input checked="" type="checkbox"/> Examination Fee | | | | | |
| —If International preliminary exam report prepared by USPTO and all claims satisfy provisions of PCT Article 33/(1)(4)..... | | | | \$ 100.00 | |
| —All other situations..... | | | | \$ 200.00 | \$200.00 |
| 23. <input checked="" type="checkbox"/> Search Fee | | | | | |
| —Search Fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as ISA..... | | | | \$ 100.00 | |
| —International Search Report prepared and provided to the Office..... | | | | \$ 400.00 | |
| —All other situations..... | | | | \$ 500.00 | \$400.00 |
| TOTAL OF (21), (22), & (23) = | | | | \$900.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| -100 | /50= | | x \$250 | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total Claims | 6 - 20 = | 0 | x \$50.00 | \$0.00 | |
| Independent Claims | 1 - 3 = | 0 | x \$200.00 | \$0.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 | \$0.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$0.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | | |
| SUBTOTAL = | | | | \$900.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$900.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet. \$40.00 per property. | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$900.00 | |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. | | | | Amount to be refunded: | \$ |
| b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>11-0600</u> in the amount of \$ <u>900.00</u> to cover the above fees. A duplicate of this sheet is enclosed. | | | | Amount to be charged | \$900.00 |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0600</u> . A duplicate copy of this sheet is enclosed. | | | | | |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: | | |  SIGNATURE John J. Kelly, Jr. (Reg. No. 29,182) NAME MAY 18, 2005 DATE | | |
| KENYON & KENYON One Broadway New York, New York 10004 CUSTOMER NO. <u>26646</u> | | | | | |